

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	Case No.: CR13-5521RJB
)	
Plaintiff,)	
vs.)	ORDER CONTINUING TRIAL AND
)	EXTENDING PRETRIAL MOTIONS
SIMON M. NOWINSKI,)	CUTOFF DATE
)	
Defendant.)	
)	
)	

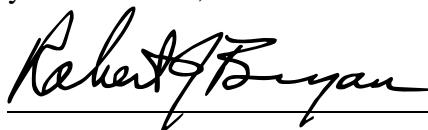
Before this Court is the defendant's motion for continuance of the trial date, which is presently scheduled for November 25, 2013, and for an extension of the pretrial motions cutoff date. The government being unopposed to said continuance, the Court finds, after a consideration of all relevant information and the circumstances of this case, that without this continuance the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a continuance under these circumstances would result in a miscarriage of justice. The ends of justice would best be served by the granting of the motion for continuance. The ends of justice outweigh the best interests of the public and the defendant in having the matter brought to trial sooner. For these reasons, the Court finds the defendant's motion for continuance should be granted. The trial date scheduled for November 25, 2013 is VACATED. The trial shall be RESCHEDULED TO March 17, 2014, at 9:30 a.m. The pretrial conference is RESCHEDULED

1 TO March 7, 2014, at 1:00 p.m. The pretrial motions cutoff date shall be RESCHEDULED TO
2 February 27, 2014.

3 Any and all period of delay resulting from the granting of this continuance, from the date
4 of the filing of the defendant's motion until the date of the rescheduled trial, shall be excludable
5 time pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and (h)(8)(A).
6

7 IT IS SO ORDERED.

8 DONE IN OPEN COURT this 21st day of November, 2013.

9 

10 ROBERT J. BRYAN
11 United States District Judge

12 Presented by:

13 HESTER LAW GROUP, INC., P.S.
14 Attorneys for Defendant

UNITED STATES ATTORNEY'S OFFICE

15 By: /s/ Wayne C. Fricke
16 Wayne C. Fricke, WSB #16550

Approved Via E-Mail: 11/21/13
By: Bruce F. Miyake, Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on November 21st, 2013, I electronically filed the foregoing Unopposed Defense Motion, Affidavit and Proposed Order Continuing Trial and Extending Motions Cutoff Date with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Bruce F. Miyake
Assistant United States Attorney

I hereby certify that on November 21st, 2013, I e-mailed the Unopposed Defense Motion, Affidavit and Proposed Order Continuing Trial and Extending Motions Cutoff Date to the following:

Simon M. Nowinski
Reg. #43401-086
Federal Detention Center
At Sea Tac
P.O. Box 13900
Seattle, WA 98198

DATED this 21st day of November, 2013.

/s/ Sarah M. Heckman

Sarah M. Heckman